

1 APPEARANCES (Cont'd.):

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3 3710 Commercial
4 Northbrook, Illinois
5 appearing for Respondent, The Peoples Gas,
6 Light and Coke Company;
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18 SULLIVAN REPORTING COMPANY, by
19 Patricia Wesley, CSR, RPR
20 License No. 084-002170
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2 JUDGE RILEY: Pursuant to the direction of the
3 Illinois Commerce Commission, I now call Docket
4 04-0584. This is a complaint by Edward Sanders
5 versus Peoples Gas Light and Coke Company as to
6 billing charges in Chicago, Illinois.

7 Mr. Sanders, you are appearing without
8 counsel; is that correct?

9 MR. SANDERS: That's correct.

10 JUDGE RILEY: And would you state your name and
11 your address for the record, please.

12 MR. SANDERS: My name is Edward Sanders. I'm at
13 3548 West 13th Place, Chicago, Illinois, 60623.

14 JUDGE RILEY: Thank you.

15 And for Peoples Gas.

16 MR. GOLDSTEIN: On behalf of Peoples Gas, Light
17 and Coke Company, Mark L. Goldstein, 3710 Commercial
18 Avenue, Northbrook, Illinois, 60062. My telephone
19 number is 847-564-5573.

20 I have with me this morning from
21 Peoples Gas Patricia Medina who is our witness.

22 JUDGE RILEY: Good morning.

1 At this juncture, we will begin
2 the evidentiary portion of this hearing.

3 Mr. Sanders, as complainant, you are
4 obligated to go first and state your case.

5 (Witness sworn.)

6 Okay. Please, counsel, there's no
7 objection. Did either party want to make an opening
8 statement of some kind?

9 MR. GOLDSTEIN: I have no opening statement.

10 JUDGE RILEY: Mr. Sanders, did you want to make
11 an opening statement or just proceed right to your
12 evidence?

13 OPENING STATEMENT

14 BY

15 MR. SANDERS:

16 Well, I don't have any opening
17 statement. I'll just say that this whole matter
18 just don't make sense right now. From the time that
19 I -- I have all my evidence to show that, you know,
20 this here Peoples Gas they just -- just like people
21 in high places, you know, they're principalities in
22 high places. They keep getting richer and the poor

1 keep getting poorer. That's my statement, okay,
2 so my opening statement, you know.

3 JUDGE RILEY: What do you have there in the
4 way --

5 EDWARD SANDERS,
6 called as a witness herein, having been first duly
7 sworn, was examined and testified as follows:

8 EXAMINATION

9 BY

10 JUDGE RILEY:

11 Q. First of all, please --

12 A. What did you want.

13 Q. -- explain your complaint first of all.
14 What is it exactly that you are complaining about?

15 A. Okay. Well, I have here from an
16 itemized bill from back here from 2000. Okay. I
17 owed \$78. Okay. Here the next month 2000, here
18 went from 400. If we are within that same month at
19 the end of that year, it went from 1,000 to 106.

20 Q. Okay. First of all, what document are you
21 looking at?

22 A. I'm looking at the itemized bill from

1 Peoples Gas.

2 Q. Okay. An itemized bill from Peoples Gas?

3 A. You have the same. You don't have to ask
4 me.

5 Q. What address are we talking about?

6 A. We are talking about 1225 South Harding.

7 Q. And when did you live there?

8 A. I lived there -- well, my lease -- I don't
9 know if you have my lease, but I lived there from
10 the year of maybe what '97 or '98 till the year of
11 2001 from the time my other lease started.

12 Q. Now is this a multi-unit dwelling apartment
13 building?

14 A. Yes. It's just a two-flat really. One
15 family live there as far as I know.

16 Q. Which unit?

17 A. They made it out of a multi -- you know, a
18 two-flat. You have got two people in the front and
19 rear and we just stayed on the first floor.

20 Q. Okay. Now you were living on the first
21 floor?

22 A. That's correct.

1 Q. Was the first floor divided?

2 A. No, it wasn't divided.

3 Q. So you had the unit yourself?

4 A. Right, me and my girlfriend's kids.

5 Q. Now the document that you are looking at

6 there shows that you were billed -- you said there

7 was a \$78 charge there?

8 A. From the beginning, from the beginning.

9 Q. What date? You said the beginning --

10 A. 11-12-2000 it was just \$78.

11 MR. GOLDSTEIN: Maybe for the sake of the record,

12 Judge Riley, we could mark what Mr. Sanders is

13 looking at.

14 JUDGE RILEY: Okay. Counsel, let me do this,

15 because I'm going to get to the matter of marking

16 these documents, but I want to see what he's got and

17 what it is that gave rise to his complaint.

18 MR. GOLDSTEIN: He's referring to a particular

19 document that I have multiple copies of --

20 JUDGE RILEY: Okay.

21 MR. GOLDSTEIN: -- I was going to introduce.

22 JUDGE RILEY: Okay.

1 THE WITNESS: Okay. Not only do I have
2 multiple -- I have a copy and I have copies of all
3 my bills. I can go back to 1999 when it was a
4 negative 28, then we are going to go out and see how
5 they just escalated the bill.

6 JUDGE RILEY: Q. I'm doing this in chronological
7 order, Mr. Sanders.

8 A. Yes, sir.

9 Q. What I'm says what triggered this complaint
10 was a bill that you got in November 12, 19- -- in
11 the Year 2000 -- for \$78?

12 A. No, that ain't what triggered the complaint.

13 Q. What did trigger the complaint?

14 A. What triggered the complaint when I tried to
15 get gas for the last four years since -- you know,
16 I'm looking at first it was like 1,000 -- the
17 highest bill was like 1,000 --

18 Q. What --

19 A. -- and then I couldn't get my gas on,
20 because I didn't owe that much at all, then triple
21 that much.

22 Q. When did this bill spike to the point that

1 you complained that you felt there was something
2 wrong?

3 A When did it?

4 Q. In other words, there was a dramatic
5 increase in the amount of the last bill; is that
6 correct?

7 A. From the very point I tried to move here --
8 right here when I got to the other department to
9 here, 2-24-01, I tried to get gas on over there and
10 never could.

11 Q. Hold it. Hold it. On February 24, of '01?

12 A. Right.

13 Q. What happened? You received a bill?

14 A. What happened I moved into my next unit and
15 I tried to get gas and I couldn't afford it. My gas
16 was off.

17 Q. When did you move out of 1225 South Harding?

18 A. Right here -- my date of lease here was
19 2-24-01.

20 Q. Okay. You moved into a new dwelling?

21 A. That's correct.

22 Q. And you tried to get the gas turned on there

1 in your name?

2 A. That's correct.

3 Q. And Peoples Gas told you you could not get
4 service in your name?

5 A. At the time -- I'm looking, and, again,
6 2000 -- 2232 bill that I could not afford and the --
7 I guess -- I think they paid for it.

8 Q. Let's get back to the original question.

9 When you moved into the new dwelling,
10 what was the address?

11 A. It was 435 North Drake. Right here is my
12 lease.

13 Q. When you moved into 435 North Drake, you
14 tried to get service in your own name?

15 A. That's correct.

16 Q. And you were unable to get service in your
17 own name?

18 A. That's correct.

19 Q. Why did Peoples Gas tell you you could not
20 get service in your name?

21 A. For one reason, I was probably making too
22 much money. My income overlapped. I have proof of

1 papers from the CEDA.

2 Q. In other words, you could not get
3 CEDA assistance because you had too much income?

4 A. Right. Right. Exactly, not only that,
5 records show that they was tampering -- they had
6 meters and the meters they had been broken into.
7 Okay.

8 Q. Right. Mr. Sanders, none of this is doing
9 me any good right now.

10 You tried to get service in your name
11 when you moved into 435 North Drake?

12 A. Yes.

13 Q. What did Peoples Gas say to you --

14 A. What did Peoples Gas say to
15 me?

16 Q. -- that you could not get service in your
17 name? Why did they say you could not get service in
18 your name?

19 A. Because I guess I was overpaid. I mean, I
20 tried to get through the gas company through CEDA,
21 okay.

22 Q. Forget CEDA for a moment. Did Peoples Gas

1 tell you that you owed a certain sum of money from
2 your previous residence at 1225 South Harding?

3 A. Yes, I believe so.

4 Q. Do you have any idea what that sum of money
5 was?

6 A. Let me see. Right here 1225. I have just
7 here -- just back here in 2000, again, my bill was
8 just \$636, okay, and just 2001, let's see. Here's
9 2001, I mean, just 2000 here -- right here February
10 my bill \$1,732.

11 Q. For what address is that?

12 A. This is 1225 South Harding.

13 Q. Let me see that, the one that you are
14 holding in your left hand right there.

15 (Document tendered.)

16 All right. Peoples Gas, it's my
17 understanding, told you that when you moved into the
18 new dwelling at 435 North Drake you could not get
19 service in your own name; is that correct?

20 A. Yes, that's correct. Here is a letter here,
21 right here, 435 North Drake. Okay. I tried to get
22 the gas on "Our records indicate that your final gas

1 bill in the amount of 2000," okay, "800 for service
2 used at 1225 Harding remains unpaid and is long past
3 due."

4 JUDGE RILEY: All right. Let me see that letter.

5 (Document tendered.)

6 All right. Hang on. Hang on to
7 these.

8 JUDGE RILEY: Q Did you attempt to find out from
9 Peoples Gas why your bill went from \$78 on November
10 12, 2000 to over \$1700 on February 6, 2001?

11 A. I went to -- who was the -- Danny Davis'
12 office and all of them trying to figure that
13 out, trying to answer that myself, okay, come to
14 find out Peoples Gas themselves at the office told
15 me that the meter was tampered with, okay, people
16 was stealing gas. They told me it should be on
17 record.

18 Q. All right. Do you remember who at Peoples
19 Gas informed you of that?

20 A. Right here at the State Street where they
21 were down there.

22 Q. Peoples Gas informed you that the meter that

1 regulated and metered the gas usage in your unit had
2 actually been tampered with?

3 A. That's correct, and just this year, 2004,
4 here's this lady who called herself helping me
5 through the commissioner -- her name is, whatever
6 her name is down there, and come to find out, you
7 know, here they're saying they waived some of the
8 fees, but, yet and still, they're reading the meter.
9 I've been gone about three years and they're still
10 reading the meter on me now.

11 You mentioned that the last time when
12 we were here that how they, based on the reading,
13 taken our account, adjusted the late charges, you
14 know, and it states that they was looking at the
15 meter from even back then till now and trying to,
16 you know, figure out -- trying to adjust it. This
17 may not be on here, but it's on one of the letters.

18 Q. Let me ask you this. When you moved out of
19 1225 South Harding, did you request Peoples Gas to
20 come out and turn the service off in your name?

21 A. Of course, I did.

22 Q. Did they do that?

1 A. Yes, they did. I have papers here showing
2 that the gas was off at particular times. Right
3 here, for example, back in 2000, it says "To avoid
4 disconnection of service." You know, I have another
5 paper here from the gas company said there was a
6 leakage -- a leakage itself within that building
7 down there and they had to cut the gas off.

8 Q. All right. Can you find either document
9 there that says that the gas was turned off in your
10 name when you moved from 1225 South Harding --

11 A. Yes.

12 Q. -- and find a document that indicate there
13 was leakage?

14 A. I sure can. Just give me a second. I think
15 I showed those documents last time I was here.
16 There's one letter right there saying gas service
17 was disconnected down at the bottom, but I do have
18 the other where there was a leakage in there, and I
19 showed that to you last time. I just have to find
20 it when they turned the gas off. Here it is right
21 here. Spillage at draft is a blockage chimney.
22 That was in 11-6-2000 and the meter was locked off.

1 Q. All right. You have tendered a letter to me
2 from Peoples Gas, dated June 2000, which is
3 essentially a notice that your service will be
4 disconnected if you don't pay 636 -- \$636.34
5 immediately. Was your gas disconnected as a result
6 of this letter?

7 A. Yes, it was.

8 Q. Were you able to get the gas restored after
9 disconnection at 1225 South Harding?

10 A. Well, at the time I was served a
11 30-day notice, I believe I was moving out of that
12 unit shortly upon all of the confusion there.

13 Q. Well, it was my understanding that you
14 didn't move out of that unit until February of 2001;
15 is that correct?

16 A. Yes, that's correct. That's when I actually
17 moved into my unit.

18 Q. So is it correct to say from June 8, 2000 to
19 the time you moved out of that unit you did not have
20 gas service?

21 A. No, I wouldn't say that. I wouldn't say
22 that. I don't -- it's been awhile, but I'm quite

1 quite sure I had service until I moved out.

2 Q. What my confusion is that you said your gas
3 was disconnected after June 8, 2000 for nonpayment
4 of this amount; is that correct?

5 A. Well, I mean, I wouldn't say that, because
6 if you look down here at this here itemized bill,
7 you'll see that the service was on, and on, and on
8 until I moved out and they still don't have it on
9 here that I called and cut the -- asked for
10 the gas to be off.

11 Q. Okay. Is it correct to say then you don't
12 recall whether or not Peoples Gas disconnected?

13 A. I'm sure they disconnected it's it one point
14 in time, probably the gas probably came back upon
15 removing it.

16 Q. It's your testimony that you simply can't
17 recall that it was disconnected and then restored?

18 A. I know that the gas was disconnected --

19 Q. But --

20 A. -- because our life was in jeopardy until
21 they straightened it out.

22 Q. Gas was disconnected after this letter was

1 sent to you; is that correct? Was it disconnected
2 for nonpayment of this amount?

3 A. It says -- no. It says down here that if I
4 don't pay it, it would be disconnected.

5 Q. Did the gas -- did Peoples Gas disconnect
6 the service because you didn't pay this amount?
7 That's my question.

8 A. Well, I imagine so, yes.

9 Q. But you are not sure?

10 A. I'm not sure.

11 Q. And then you have offered some sort of a
12 ticket here dated November 6, 2000 pertaining to
13 1225 South Harding on the first floor that you
14 stated they inspected your water meter. Who did
15 this?

16 A. Peoples Gas.

17 Q. When they say "spillage at draft," I can't
18 read that word, "blocked chimney, appliance
19 disconnected." Do you know what appliance was
20 disconnected?

21 A. Yes, the hot water tank and the meter, I
22 guess, were turned off because of the spillage.

1 Q. What was spilling? Was it gas or water
2 that was spilling?

3 A. Well, I don't know. They call it fumes
4 coming from -- you know, when they blocked up and
5 spillage like that causes film and what have you.

6 Q. So this was a gas heated water?

7 A. Blockage what it said on there.

8 Q. It says a blocked chimney?

9 A. Yes.

10 Q. So it was the appliance that was
11 disconnected, not the gas, as a result of that
12 ticket?

13 A. Well, gas is -- "gas off for correction."
14 That's what it says, "gas off for correction," and
15 I moved on the time of termination. Besides, like I
16 say, it was a waste of time. See, CEDA paid for it.
17 And why is we here?

18 JUDGE RILEY: Counsel, do you want to see any of
19 this?

20 MR. GOLDSTEIN: Yes.

21 (Documents tendered.)

22 JUDGE RILEY: Q. Mr. Sanders, is it essentially

1 your complaint that you do not know or do not
2 understand why there was a sudden increase in the
3 size of your gas bill?

4 A. Well, I guess from my opening statement, if
5 you want me to explain it to you again, you know you
6 just have a big company here, you know, they -- you
7 know, it's just high people in high places and they
8 just take advantage. You know, this clearly states
9 right here it's just in the Year 2000. I can look
10 at from 400 to almost 2000 just within that
11 month --

12 Q. Okay.

13 A. -- then in the next month in 2001, my bill
14 was actually 1,000. Now they say 2,700, then you
15 going farther down in that same year, 12 here, I'm
16 looking at again \$3,000, 2,000 here, then it goes up
17 and up and I'm not even there.

18 JUDGE RILEY: Let me take a look at that.

19 (Documents tendered.)

20 THE WITNESS: He's got itemized bill. He say he
21 have several of them.

22 JUDGE RILEY: Q. Then I'm going to take it that

1 essentially your testimony is that as of November
2 27, 2000 you had an account balance of \$78.75 at
3 1225 South Harding Avenue and that over the period
4 of several succeeding months the balance
5 dramatically increased, first \$453.08, then excess
6 of 1100, and it continued to increase until August
7 2, 2002 when there was a payment amount made in the
8 amount of \$3,000, and then on August 19th there was
9 something -- there's a column called reverse payment
10 of 3,000, and 3,000 was added back into your
11 account, and your account balance has continued to
12 grow -- continued to grow until March 7th, and then
13 it began to decrease, and as of the last date on
14 here, May 4, 2003, the account balance was
15 \$2,778.26.

16 Do you have any kind of a document for
17 this?

18 A. For 2000?

19 Q. Well, for after March -- after May 4, 2003.

20 A. On the gas bill?

21 MR. GOLDSTEIN: We'll be happy to provide that.

22 THE WITNESS: Where you are saying the gas

1 bill?

2 JUDGE RILEY: Q. Not a gas bill, one of these.

3 Do you see where it ends at March -- at May 4, 2003?

4 A. I don't have anything except gas bills from

5 right here (indicating). This is May right here

6 2002 (indicating), and the next one is 2004 --

7 marked April 2004, \$3,000.

8 Q. And, in other words, all of the succeeding

9 bills that you have received since you moved out of

10 1225 South Harding, have had the same substantial

11 number of -- substantial amount of money due? Is

12 that correct?

13 A. Yes. Again, from October 2000, here's

14 another disconnected bill, okay, reconnection

15 charges for gas service that has been disconnected.

16 Now this is during the time of my lease I'm

17 about --

18 MR. GOLDSTEIN: Judge, I'm going to object to

19 some of these things. You know, I think you pretty

20 well established that as of November 27, 2000, there

21 was an amount of \$78.75 owed on this account. I

22 don't think that is disputed. All of the items

1 that you provided, the disconnect from June 8, 2000,
2 and the spillage from November 6, 2000, and
3 everything else that you have been talking about,
4 have occurred prior to that particular trigger date
5 and I don't think they're particularly relevant.

6 I think what is relevant is the period
7 from November 27, 2000 onward, and we're just
8 wasting a lot of time talking about events that
9 occurred prior to that.

10 JUDGE RILEY: Q. All right. Mr. Sanders, let me
11 go back to one of my original questions.

12 Do you specifically recall asking
13 anyone at Peoples Gas why your bill increased so
14 dramatically after November 27, 2000? Did you
15 request an explanation, do you remember?

16 A. Okay. Why? Well, again, I mentioned on the
17 record it was, what, just 17,000, right?

18 Q. Right.

19 A. That was my only bill.

20 Q. My question is did you ask anyone at Peoples
21 Gas for an explanation of why you had this great big
22 increase? Do you remember asking anyone at Peoples

1 Gas?

2 A. Yes. Yes. Yes.

3 Q. Do you remember who that person was?

4 A. It was -- I mean, it's different
5 representatives, several I have talked and spoken
6 to.

7 Q. The answer is, no, you don't remember?

8 A. No, not particular. They got my name.

9 Q. Do you remember what that person's
10 explanation was for the increase?

11 A. Well, for one thing when I moved out, my
12 sister, or whoever, they were still there and they
13 were trying to get the gas on. I understand there
14 was a bad check wrote, and the check bounced, and
15 that would cause it to increase more from the 17 to
16 like 2, then from that point the interest -- they
17 explained the interest, you know, just keep on
18 occurring and occurring, and if I tell them that
19 shut it off, it goes into collection and, finally,
20 the young lady did try to adjust it back to 2400.
21 That was in September of 2001.

22 Q. When you lived at 1225 South Harding, you

1 said that you had -- your water heater was gas
2 heated; is that correct?

3 A. Yes, I believe so.

4 Q. Was the apartment heated -- the air heated
5 by gas?

6 A. Air heated by furnace, yes, by gas.

7 Q. Gas furnace?

8 A. That's basically what ran it up, too, people
9 breaking in and doing things. It's a slum landlord
10 there. I can read a letter from how he -- before I
11 moved in there, I had a problem with another unit
12 where the service there was disconnected or -- you
13 know, and I suppose to have had it in my name. That
14 was something else. That's dealing with something
15 else, but this landlord, again, he's just not, you
16 know, a business type of landlord, so I didn't take
17 time to ask him now to write me a letter knowing
18 that the gas was tampered with and people breaking
19 in the building, because he turned it this way and
20 this way, really open up and tell the truth.

21 Q. As far as the kitchen was concerned, was
22 this a gas -- was it a gas range and oven?

1 A. Yes, it was.

2 Q. Did you or the landlord ever have the gas
3 furnace or the water heater inspected? Obviously,
4 Peoples Gas inspected the water heater at some
5 point.

6 A. Yes, they did. They come out often, because
7 of one of the reasons the furnace was in a closet
8 and for that unit, it was like four bedrooms, you
9 know, and that wasn't really the proper place. The
10 furnace should have been bigger for that unit.

11 Q. How big a unit did you live in?

12 A. It was a four bedroom.

13 Q. Four bedroom?

14 A. Yes.

15 Q. How many rooms altogether?

16 A. Four bedrooms, including the living room,
17 and the kitchen, and the dining room.

18 Q. Kitchen, living room, and dining room, like
19 a seven-room apartment?

20 A. Yes, dining room and kitchen.

21 Q. I'm going to ask this one last time. When
22 you asked Peoples Gas for an explanation of why your

1 gas bill increased so dramatically after November
2 27, 2000, do you recall what explanation you were
3 given?

4 A. Well, again, the interest was one of the
5 main reasons, you know. I don't see why it keep on
6 increasing and nothing is on, suppose to be off.
7 I'm trying, you know, to get it paid, and, again,
8 there was a bad check wrote, and the check bounced,
9 and that caused it to double.

10 Q. Okay. But that's the only thing that you
11 know of there was a bad check?

12 A. Yes, and --

13 Q. So you were charged a penalty for that; is
14 that correct?

15 A. Well, and people breaking -- again, I said
16 tampering with the meter after I had done left, even
17 now.

18 Q. And you were told that by Peoples Gas that
19 the meter had been tampered with?

20 A. Yes. Even now, in further review of this
21 account, we found that an actual meter reading was
22 taken 12-11-2004. The meter is like 6065. "Based

1 on the reading taken, your account has been adjusted
2 and late charges in the amount of 511 have been
3 waived."

4 Now here I'm out of this unit way back.
5 Here's my lease 2001. They're going to go and
6 adjust from 2004 to 2001 and try to give me an
7 adjustment, this right here (indicating).

8 Q. I'm not sure what your point is.

9 A. When I moved out 2001 in this unit right
10 here on Drake, here they're going to go back in 2004
11 to adjust the meter "based on the reading taken,
12 your account has been adjusted." It says right
13 here. The meter reading was taken on 12-11-04 based
14 on me gone way back 2001.

15 Q. Okay. What was the adjustment? Was it in
16 your favor or was it --

17 A. I mean, \$511 that they waived the fee from I
18 guess it was up to like 3,000 right here. I'm
19 looking at a bill 3,200 for 2002. Okay.

20 Q. Did you have a letter there that showed that
21 in which Peoples Gas state that your meter had been
22 tampered with?

1 A. Well, let me see. I don't have a letter
2 exactly, to my knowledge, but I know that's what
3 they're telling me, and it's not on here. It should
4 be on here. It should be on the itemized
5 bill, because that's what they informed me when I
6 was down there.

7 Q. Okay. Other than a gas furnace, a gas
8 range, and water heater, were there any other gas
9 appliances in your -- in the unit at 1225 South
10 Harding?

11 A. No, no other appliances.

12 (A brief interruption.)

13 JUDGE RILEY: Off the record.

14 (Off the record.)

15 Let's go back on the record.

16 JUDGE RILEY: Q that is all the questions that I
17 have for the complainant at this time.

18 Mr. Sanders, I did ask you whether or
19 not you had a letter from Peoples Gas saying that
20 your meter had been tampered with.

21 Do any of the -- any of the letters
22 that you have received from Peoples Gas saying that

1 or is this something you were told?

2 A. I was told that and it should be on the
3 itemized bill, but I don't think it's on there. I
4 don't know what the reason for that, is it manual or
5 actual, manual down there what it says. I don't
6 know, but I do know they told me this, and I was
7 trying to get a letter from the landlord. He
8 couldn't actually say that the meter was tampered
9 with also over and over again, still they were
10 stealing gas.

11 Q. You have got a letter September 8, 2001 from
12 Peoples Gas. Let me see that one again.

13 A. September 8th.

14 Q. It's not a bill. It's a letter.

15 A. Right. Here is September 8, 2001, final
16 bill \$2008. That was the final bill, 2001.

17 Q. This letter does not say anything about
18 tampering.

19 A. That's the gas company itself will provide
20 that.

21 Q. Let me go back to this then. After
22 September 8, 2001, did you continue to get bills for

1 service at that same address?

2 A. Yes, I did.

3 Q. And the bills increased beyond the
4 \$2,849.87, didn't they?

5 A. Yes, tremendously.

6 Q. And did you ever get an explanation of why
7 that was?

8 A. I keep mentioning that the interest
9 -- the interest and when it went into collection and
10 it don't stop.

11 JUDGE RILEY: All right. Before we leave,
12 counsel, I'm going to make a copy of that letter for
13 all parties.

14 MR. GOLDSTEIN: I have a copy.

15 JUDGE RILEY: Oh, you do have. All right.

16 THE WITNESS: And from since then, my gas has
17 been paid for through the CEDA program. I have
18 copies here. During that time, I applied for CEDA
19 and the gas was suppose to have been paid, for even
20 here, first of 2002, and then when I applied in
21 2001.

22 JUDGE RILEY: Q. So you did receive CEDA

1 assistance?

2 A. Yes, at 435 Drake. Here I applied for the
3 CEDA and --

4 Q. Let me ask you -- let me go back. Did you
5 receive any CEDA assistance for the address at 1225
6 South Harding?

7 A. Did I receive any? Well, I applied for it
8 even back then. I have something here that I
9 applied for CEDA even when I was at 25 -- 1225 on
10 Drake right here, 1225 on Harding, and the date is
11 11-2 -- 11-2002.

12 Q. Did you receive any actual assistance from
13 the 1225 Harding address?

14 A. This is -- I applied for it. That's the
15 receipt. Of course, I applied for -- you know, I
16 don't know what else can I say -- then I went to the
17 next address I moved to and I -- and I applied for
18 it there also, which is -- which was \$600 I think at
19 the time.

20 MR. GOLDSTEIN: At the least, I would like to
21 mark that as our exhibit if he will not mark it as
22 his --

1 JUDGE RILEY: Okay. Now --

2 THE WITNESS: When my --

3 MR. GOLDSTEIN: -- whether you want to designate

4 that as a cross-examination exhibit or not.

5 JUDGE RILEY: I'm not a hundred percent sure.

6 THE WITNESS: That's at Harding, 1225 Harding.

7 JUDGE RILEY: Right.

8 THE WITNESS: I have my lease upon moving. I

9 moved to Drake when I applied for it there at Drake.

10 Here's my lease. I think you have my lease. I

11 applied for it there also, so from that point, I

12 don't know why they continued to -- you know, my

13 service is off and, you know, because, you know,

14 everything where I say, hey, I'm not coming back

15 down here any more, you know, take it up with CEDA,

16 whoever.

17 JUDGE RILEY: Q. All right. Very well. This

18 one letter this is for your address 435 North Drake?

19 A. Right. That's upon moving to the next

20 apartment when service was off.

21 Q. Mr. Sanders, your dispute is with the

22 billing at 1225 South Harding?

1 A. Right.

2 Q. Okay.

3 A. And there was zero dollars when I left at
4 1225 Harding.

5 JUDGE RILEY: All right. That is all the
6 questions that I have at this time for Mr. Sanders.

7 Mr. Goldstein, did you have any
8 cross-examination for the witness?

9 MR. GOLDSTEIN: Yes, I do.

10 CROSS EXAMINATION

11 BY

12 MR. GOLDSTEIN:

13 Q. When you lived at 1225 South Harding,
14 Mr. Sanders, who lived in the first floor apartment
15 with you?

16 A. Girlfriend and three kids.

17 Q. Were you married at the time?

18 A. At the time, yes, I believe so.

19 Q. And do you have in front of you somewhere
20 that I'm going to mark as Respondent's Exhibit 1.
21 This is the document that you have been referring to
22 during the course of your testimony this morning, is

1 it not?

2 A. Yes, just as this is an itemized bill,
3 right? You are saying the itemized bill here?

4 Q. That's right.

5 Now you will agree with me, will you
6 not, that as of November 27, 2000 there was a
7 balance that you owed of \$78.75; is that correct?

8 A. That's correct.

9 Q. Now if you go down to -- you see the line
10 that says 2-27-01 on that exhibit?

11 A. 2-27 --

12 Q. 01.

13 JUDGE RILEY: Counsel, this is hard to read
14 because these dates are cutoff on the left side.

15 THE WITNESS: Mine is better than yours. I can
16 read it on mine. November --

17 MR. GOLDSTEIN: You are talking about February
18 27, 2001.

19 JUDGE RILEY: Okay.

20 MR. GOLDSTEIN: It's about five or six lines down
21 from the beginning.

22 MR. GOLDSTEIN: Q. Do you see that, Mr. Sanders?

1 A. I see February the 5th.

2 Q. Do you see February 27, 2001, and there's an

3 amount that's owed of \$1.657.28. Do you see that?

4 A. Yes.

5 Q. Do you see that?

6 A. Exactly.

7 Q. Do you see that under reading type there's

8 the word "actual?"

9 A. Reading type actual.

10 Q. Do you understand that that means there was

11 an actual meter reading for your apartment --

12 A. Yes.

13 Q. -- on that date?

14 A. Yes.

15 Q. And there's also -- under the column

16 "remarks" do you see that it says that the account

17 was finalized per customer request?

18 A. Finalized?

19 Q. Yes. Do you see that?

20 A. Finalized per customer request.

21 Q. Do you see that?

22 A. Got finalized, yes, so that means --

1 Q. And you understand that to be that you
2 called up and asked that your account be made final?

3 A. Right. That means that I asked --

4 Q. And at the time of February 27, 2001, there
5 was a balance due, based upon an actual meter
6 reading of your unit, of \$1,657.28, correct?

7 A. Correct.

8 Q. And now if you start reading down the
9 remarks column on that page, you get to a series of
10 very late charges, do you see, were added to the
11 bill to make the bill over \$3,000?

12 A. Exactly.

13 Q. And then there was a \$3,000 payment made in
14 August of 2002. Do you see that?

15 A. Yes.

16 Q. And do you -- do you see also on
17 the next line that not -- after the check was
18 submitted, it was returned for nonpayment?

19 A. Yes.

20 Q. Do you see that? And that's the reason that
21 the account jumped back up over \$3,000 afterwards.
22 Do you see that?

1 A. Yes.

2 Q. Okay. Now you say you moved out in what
3 month of 2001?

4 A. Again, my lease it says February of 2001,
5 February 24th that's when my lease begun.

6 Q. Now did your wife move out at that time?

7 A. At that particular time, no, she didn't move
8 out with me. I left. Okay. I left and --

9 Q. And she remained in the apartment, did she
10 not?

11 A. I believe so for awhile, and then she left.

12 Q. And she left approximately in December of
13 2001; is that right?

14 A. Yes, around that time, I believe.

15 Q. And you see that -- if you see about seven
16 lines down on the left-hand side are the dates.
17 There's a date of April 4-26-01 where there was
18 another actual meter reading made for 1225 South
19 Harding?

20 A. Yes.

21 Q. Do you see that?

22 A. 4-26 bill amount was \$458.

1 Q. That's right. That made the balance on that
2 account \$2724.33. Do you see that?

3 A. I see 26. I don't know -- 27, maybe I'm --
4 I don't see 27. Are you reading in August of 2000
5 you say?

6 Q. No, I'm reading April 26 --

7 A. 2002?

8 Q. -- 2001.

9 A. Oh, okay. April 26, 2001, yes, I see it
10 again. We're looking at \$2,700. It done double.

11 Q. Looking down three lines from the bottom of
12 that page --

13 A. Three lines from the bottom?

14 Q. Right -- there's a date of 12-11-01. Did
15 you see that?

16 A. 12-11-01, yes.

17 Q. Where there was actual meter reading made,
18 do you see that?

19 A. Do I see an actual meter reading?

20 Q. You see under read type it says actual?

21 A. I see actual, right.

22 Q. And --

1 A. December -- that was December 11, right.
2 Q. Of 2001?
3 A. Right.
4 Q. And there was a balance due at that time of
5 \$2,735.46. Do you see that?
6 A. Yes, I see that. So what I have said
7 we're right back --
8 JUDGE RILEY: Hold on, Mr. Sanders. This is
9 Mr. Goldstein's time to ask questions and anything
10 that you offer would have to be in response to one
11 of his questions.
12 MR. GOLDSTEIN: Q. And do you also see that
13 there was an adjustment made to the bill of \$511.78
14 ultimately made on this bill?
15 A. That's correct.
16 Q. Do you know from what period of time that
17 adjustment was made?
18 A. Well, again --
19 Q. Do you know?
20 A. It's right here. That's when the lady came
21 out during that time from the commission office
22 where they adjust my bill right here. It says based

1 on 5-11 has been waived, and this was back May 4th
2 through the billing control.

3 Q. Now we know that December 11, 2004 has not
4 actually occurred yet, so would you not think that
5 that adjustment was made based upon a natural meter
6 reading on December 11, 2001? Wouldn't that make
7 sense to you?

8 A. If it makes sense, then why would they have
9 it down here?

10 Q. But the date of the letter is May 4, 2004.

11 A. Right.

12 Q. So that, obviously, is a typo, isn't it?

13 A. Pardon?

14 Q. Wouldn't you think that would be a
15 typographical error?

16 A. I don't know whether -- they shouldn't make
17 errors and expect for me to pay big errors. That's
18 the whole thing.

19 Q. You are getting a credit there. You
20 understand that?

21 A. Yes, but --

22 Q. That's not -- that's an error in your favor,

1 is it not?

2 A. Of course. What 2800 or 3,000 back down to
3 my actual bill was 1,700, not now 2000.

4 JUDGE RILEY: Excuse me, Mr. Sanders.
5 Mr. Goldstein, I'm a little confused what you are
6 referring to in that letter.

7 MR. GOLDSTEIN: The letter states that an
8 adjustment was made as of December 11, 2004, but the
9 letter is dated May 4, 2004, so, obviously, that's a
10 typographical error --

11 JUDGE RILEY: All right.

12 MR. GOLDSTEIN: -- and we'll clear that up.
13 Ms. Medina, who wrote the letter, is here.

14 JUDGE RILEY: All right.

15 MR. GOLDSTEIN: I have nothing else. I would ask
16 that Respondent's Exhibit 1 be admitted into
17 evidence.

18 JUDGE RILEY: All right. Mr. Sanders, he's just
19 moved for admission of Respondent's Exhibit 1 into
20 evidence. Now this is a copy of the same thing that
21 you have there that you had been referring to in
22 your own case. Do you have any objection --

1 MR. SANDERS: What?

2 JUDGE RILEY: -- to admitting this into evidence?

3 MR. SANDERS: One thousand? Of course. I mean,
4 all of it should be in evidence with the adjustment
5 and everything else as far as the tampering with the
6 meter and --

7 JUDGE RILEY: Respondent's Exhibit 1 is admitted
8 into evidence.

9 (Whereupon, Respondent's
10 Exhibit No. 1 was
11 marked for identification
12 and received in
13 evidence.)

14 MR. GOLDSTEIN: I would like to call Peoples Gas
15 witness, Patricia Medina.

16 JUDGE RILEY: Hold on a minute.

17 (A brief pause.)

18 (Witness sworn.)

19 Please proceed.

20 PATRICIA MEDINA,
21 called as a witness herein, having been first duly
22 sworn, was examined and testified as follows:

1

2

DIRECT EXAMINATION

3

BY

4

MR. GOLDSTEIN:

5

Q. Ms. Medina, would you state your full name

6

and spell your last name for the record.

7

A. My full name is Patricia Medina,

8

M-e-d-i-n-a.

9

Q. By whom are you employed?

10

A. By Peoples Gas.

11

Q. And in what capacity?

12

A. I've been there for six years.

13

Q. And what's your title?

14

A. I'm a billing specialist.

15

Q. And how long have you been a billing

16

specialist for Peoples Gas?

17

A. For six years.

18

Q. And could you explain briefly what your

19

duties are as a billing specialist at Peoples Gas?

20

A. My duties at this time are to investigate

21

all inquiries made by the Illinois Commerce

22

Commission, make an analytical review of the

1 complaint, and adjust any -- make any adjustments
2 that are needed.

3 Q. And during the course of your duties in
4 billing control and answering complaints, I assume
5 you've become familiar with the account of Edward
6 Sanders at 1225 South Harding in Chicago?

7 A. That is correct.

8 Q. And with respect to Respondent's Exhibit 1
9 that has been admitted into evidence, who prepared
10 that exhibit?

11 A. I did.

12 Q. And you took that information, am I correct,
13 from the books and records of Peoples Gas?

14 A. That's correct.

15 Q. And you heard the cross-examination -- the
16 brief cross-examination that I had with Mr. Sanders
17 with respect to his billings.

18 Could you explain to us the \$511.78
19 credit that was given to Mr. Sanders?

20 A. The \$511.78 was a credit for late charges,
21 but it was a total credit of all the late charges,
22 but if you look at the account, we had previously

1 already adjusted \$393.40, so Mr. Sanders was
2 given -- the total amount he should have only been
3 given credit \$118.38.

4 Q. So you actually credited him for a greater
5 amount than he was entitled to?

6 A. Correct.

7 Q. All right. Now there was a letter that
8 Mr. Sanders showed the court reporter dated May 4,
9 2004 to Mr. Sanders and it's sent out by a
10 P. Medina in billing control. That is your letter,
11 is it not?

12 A. Correct.

13 Q. The 12-11-04 date that you show in the
14 second paragraph is an error; is that correct?

15 A. That is correct. It should be 12-11-01.

16 Q. But the credit was actually given for
17 511.78?

18 A. Correct.

19 Q. Now could you, looking at Respondent's
20 Exhibit No. 1, go through and tell us why the date
21 of December 11, 2001 was used at the bottom of that
22 exhibit and showing a balance for that account at

1 1225 South Harding in Mr. Sander's name.

2 JUDGE RILEY: Excuse me, counsel.

3 MR. GOLDSTEIN: It's here.

4 JUDGE RILEY: We are off the record.

5 (Off the record.)

6 MR. GOLDSTEIN: Q. Why was that date in

7 particular chosen?

8 A. That was the date that we took the actual

9 meter reading, went back into the record and I found

10 that there was an actual reading taken on December

11 11, '01.

12 Q. And at that time were you aware that

13 Mr. Sander's wife was still residing at the

14 apartment?

15 A. Yes, I was.

16 Q. And how did you find that out?

17 A. I found that out by contacting Commonwealth

18 Edison and they stated that she was living at that

19 location up to December 13 of '01.

20 Q. And that's why the various amounts are shown

21 on the rebilling as of December 13th, which is the

22 second line from the bottom --

1 A. Correct.

2 Q. -- of Respondent's Exhibit 1?

3 Let me show you what I have marked as

4 Respondent's Exhibit 2, Ms. Medina. Could you

5 identify this document for the record, please.

6 A. This is a copy of the account history of

7 Mr. Sanders.

8 Q. And this is an account history at 1225 South

9 Harding; is that correct?

10 A. Correct.

11 Q. And what's the beginning date for that?

12 A. April 6 of '99.

13 Q. Let me -- and it's a three-page document; is

14 that right?

15 A. Correct.

16 Q. And this document is kept in the ordinary

17 course of business by Peoples Gas, Light and Coke

18 Company?

19 A. Correct.

20 Q. And this document is part of the record that

21 you keep in responding to complaints for the

22 Illinois Commerce Commission?

1 A. Correct.

2 Q. Now could you tell us -- walk us through and
3 explain to us, starting with November 27, 2001, how
4 the various balances were determined and up until
5 the most current balance.

6 A. I'm sorry. What date? November 27th?

7 Q. Yes.

8 MR. SANDERS: November 1st.

9 MR. GOLDSTEIN: Q. I'm sorry. It would be as of
10 November 1, 2001. I misspoke.

11 A. November 1, 2001, this account went into bad
12 debt with a balance of \$2,934.22.

13 Q. And, subsequent to that, how was the account
14 handled?

15 A. Subsequent to that, it looks like it went
16 into our bad debt account, but then it looks like
17 December 11, 2002 it came out of our bad debt
18 account and it started accumulating late charges.

19 Q. All right. And it accumulated late charges
20 pretty consistently after that?

21 A. Correct.

22 Q. And ultimately those late charges were

1 reversed, at least most of them?

2 A. Yes, they were.

3 Q. And there was a Peoples Gas bill sent out to
4 Mr. Sanders for the 1225 South Harding apartment in
5 May of 2004. Can you tell what the balance was with
6 respect to that bill?

7 A. The balance showed a credit of 511.78 with
8 leaving a balance owing of \$2,778.26.

9 JUDGE RILEY: I lost the -- what date are you
10 looking at?

11 THE WITNESS: May 4th of 2004.

12 JUDGE RILEY: May 4, '04.

13 MR. GOLDSTEIN: Q. And there were no payments
14 made on that particular bill, were there, at least
15 what's shown on the credit history?

16 A. The only payment that showed was a \$3,000
17 payment that was reversed.

18 Q. I'm talking about subsequent to May of 2004.

19 A. No.

20 Q. What is the current balance that's shown on
21 the books and records of Peoples Gas for Mr. Sanders
22 at 1225 South Harding?

1 A. With the additional late charges, it's
2 \$2,868.68.

3 MR. GOLDSTEIN: I have nothing else.

4 JUDGE RILEY: Hold on a minute.

5 EXAMINATION

6 BY

7 JUDGE RILEY:

8 Q. Just a couple of clarifying questions of my
9 own, Ms. Medina. With regard to that \$511.78 credit
10 was for what you said was for all the late charges,
11 that was suppose to reflect a previous adjustment of
12 \$393.40 and that the respondents -- or excuse me --
13 complainant should have only gotten -- should have
14 gotten only approximately \$118 additional in credits
15 there?

16 A. Correct.

17 Q. Is it correct to say then that he actually
18 got over \$900 in credit?

19 A. No. What he did, he did get the credit of
20 293; that is correct.

21 Q. He got the full 511.78 and on top of that
22 erroneously he got a \$393.40 credit that was never

1 changed?

2 A. Correct. Correct.

3 Q. So both of those credits are as were given?

4 A. Correct.

5 Q. Going back to that May 4, '04, I'm on
6 Respondent's Exhibit 2, was it your testimony that
7 you were simply pointing out the \$511.78 adjustment?

8 A. Correct.

9 Q. And, as of right now, there's no additional
10 late fees or maintenance charges, but as of January
11 -- excuse me -- July 31, 2004, the complainant is
12 alleged to owe \$2,868.68?

13 A. Correct.

14 Q. And that is the bottom line sum right now,
15 and that's for service at 1225 South Harding; is
16 that correct?

17 A. That is correct.

18 JUDGE RILEY: All right. That's everything.

19 Mr. Sanders, you are free to ask the witness
20 anything you want to with regard to what she's just
21 testified.

22 MR. SANDERS: Okay.

1

2

CROSS EXAMINATION

3

BY

4

MR. SANDERS:

5

Q. How could you charge me that kind of money

6

when I just showed you CEDA papers, right? I just

7

showed you CEDA papers. So if CEDA then paid for

8

it, to make a long story short, I'm in bankruptcy.

9

Now bankruptcy should have done paid for it. Again,

10

I would go down here and apply again for CEDA,

11

whatever. This is paid for, so we're wasting our

12

time.

13

A. If there was a CEDA payment that was made

14

towards this account, it would have been credited

15

towards this account and it would show --

16

Q. What about the bankruptcy?

17

A. The bankruptcy?

18

Q. Yes.

19

A. The account did go into bankruptcy.

20

Q. So why are we here?

21

MR. GOLDSTEIN: It's your complaint.

22

MR. SANDERS: Okay. So, I mean, I don't owe them

1 anything.

2 MR. GOLDSTEIN: Well, I believe that he's in a

3 Chapter 13 bankruptcy.

4 JUDGE RILEY: Okay.

5 MR. GOLDSTEIN: And he's on what should be a

6 payment plan, and I think the more appropriate

7 question is why Peoples Gas is not listed as

8 creditor.

9 JUDGE RILEY: Counsel, you can recross your

10 witness if you want to.

11 MR. SANDERS: It's a ripoff. That's what it is.

12 JUDGE RILEY: Let's strike all that.

13 Do you have any further questions for

14 the witness?

15 MR. SANDERS: Yeah. For what witness?

16 JUDGE RILEY: Anything you want to ask her?

17 MR. SANDERS: I just wanted to say that I hope

18 this is the end of this and whatever they got to

19 say, you know, as far as my billing or whatever,

20 they want to just send it to my attorney. He will

21 deal with it.

22

1

2

EXAMINATION

3

BY

4

JUDGE RILEY:

5

Q. All right. Ms. Medina, when say the account

6

would reflect a CEDA payment, one that's been made,

7

are you stating that there's no CEDA payment

8

recorded for the total of South Harding account?

9

A. That is correct.

10

JUDGE RILEY: Mr. Goldstein, do you have --

11

again, Mr. Sanders, do you have any further

12

questions for the witness?

13

MR. SANDERS: Except I hope they can go on and

14

adjust the bill accordingly.

15

MR. GOLDSTEIN: I just have one or two questions

16

or questions for Ms. Medina if I may.

17

JUDGE RILEY: Go right ahead.

18

REDIRECT EXAMINATION

19

BY

20

MR. GOLDSTEIN:

21

Q. Ms. Medina, how long have you been handling

22

Mr. Sanders' account at 1225 South Harding?

1 A. Since December of '03. December -- I
2 received the case December.

3 Q. Now with respect to CEDA payments, if
4 there -- how does -- how do you become aware of
5 payments made through CEDA?

6 A. They would reflect on the bill history.

7 Q. That was Respondent's Exhibit 2?

8 A. Correct.

9 MR. GOLDSTEIN: And you show no evidence that any
10 CEDA payments were ever received?

11 THE WITNESS: No payments were ever credited to
12 his account.

13 MR. GOLDSTEIN: Thanks.

14 JUDGE RILEY: All right. I'm going to recall
15 Mr. Sanders for a couple of questions.

16 EDWARD SANDERS,
17 called as a witness herein, having been previously
18 duly sworn, resumed the stand and testified further
19 as follows:

20 EXAMINATION

21 BY

22 JUDGE RILEY:

1 Q. Mr. Sanders, was the -- when you were living
2 at 225 South Harding, was the account at all times
3 in your name?

4 A. Yes, all the time.

5 Q. Was it ever in the name of you and your
6 wife?

7 A. No.

8 Q. It was your name and your name alone?

9 A. My name and my name only. All the papers
10 say it's me, all my paper work.

11 Q. Now with regard to the CEDA applications, do
12 you recall ever receiving -- well, let me ask you
13 this. What is the procedure with CEDA? Do they
14 mail you a check?

15 A. No, they pay the gas company directly once
16 you're eligible though.

17 Q. They'll pay the gas company in your name
18 for your account?

19 A. That's correct. Yes.

20 Q. To your knowledge, did they ever do that?
21 Did CEDA ever do that?

22 MR. GOLDSTEIN: For 1225 South Harding.

1 THE WITNESS: Well, let me see. To my knowledge,
2 I think I was eligible not only myself if I wasn't
3 eligible, but she was my wife. She was at the
4 time was eligible and she applied also. I'm quite
5 sure she was eligible for it if I wasn't.

6 JUDGE RILEY: And that is actually something
7 called low income -- all right. Now did you have
8 anything further for Mr. Sanders?

9 MR. GOLDSTEIN: Yes.

10 CROSS EXAMINATION

11 BY

12 MR. GOLDSTEIN:

13 Q. Do you understand with respect to CEDA
14 applications that if the gas service is not in your
15 wife's name, CEDA would not pay it?

16 A. That's correct.

17 Q. Okay.

18 A. That's correct. That's correct, but she
19 could apply. She could apply. That's correct.

20 Q. And do you understand that --

21 A. That's correct.

22 Q. -- you did make an application for 1225

1 South Harding on November 1, 2002, which is almost a
2 year after the December 13, 2001 bill, which is
3 really the bill in dispute here?

4 A. Application for what CEDA?

5 Q. Yes.

6 A. Well, it goes back to again 2001, right?

7 Q. 2002.

8 A. Well, I have one for 2002. I applied for
9 2001. This is 2001 right here. That's when I moved
10 out of the unit into Drake and I applied for CEDA.

11 Q. That's right. This is the application for
12 Drake. I'm saying that your application for 1225
13 South Harding is dated November 13, 2002. Do you
14 see that? It's in your handwriting, sir.

15 A. Sir, if I move out of the Harvey address,
16 don't you think I --

17 MR. GOLDSTEIN: I have nothing else.

18 THE WITNESS: Do you think I cutoff the gas from
19 my new address?

20 MR. GOLDSTEIN: Q. I don't know what you did,
21 Mr. Sanders.

22 A. I don't know. Don't you know that CEDA

1 would have something to do by connecting the two
2 sources together rather, you know, they would let
3 them know this gas is still on, he hasn't moved,
4 something, besides saying that I'm still there. I
5 did not apply for service.

6 MR. GOLDSTEIN: I have a brief closing statement
7 I would like to make.

8 JUDGE RILEY: Okay. Hold on. Let me check my
9 notes here.

10 (A brief pause.)

11 EXAMINATION

12 BY

13 JUDGE RILEY:

14 Q. Mr. Sanders, going back to the beginning,
15 did you get service in your name at 435 North Drake
16 eventually?

17 A. No, I never did get service at that.

18 Q. And do you have gas service now?

19 A. No.

20 MR. GOLDSTEIN: He's not living there.

21 THE WITNESS: I don't stay there now.

22 JUDGE RILEY: All right.

1 THE WITNESS: I didn't need gas on a smaller
2 unit. I just cook off of the hot plate.

3 JUDGE RILEY: Q. And how did you stay warm in
4 the winter?

5 A. I had a radiator. There was heat. I didn't
6 have to have gas. There's radiators.

7 Q. But don't radiators obtain their heat from
8 gas?

9 A. No. No. There is a building maintenance
10 person -- you can have radiators. They operate from
11 steam. There's boilers down there. They don't have
12 nothing to do with gas. I didn't need gas at all
13 during those years, and right now I don't --
14 I'm just now getting my gas together of all these
15 years. I don't pay for something I don't think
16 I --

17 JUDGE RILEY: All right. Well, that's all
18 the questions that we have Inasmuch as this is
19 complainant's case, he gets to go first on closing
20 argument, unless, Mr. Sanders, you have an option of
21 submitting a closing brief, which would be a written
22 summation of your case, or would you rather just

1 make a statement?

2 MR. SANDERS: I just don't feel that -- I want
3 to go on with my life. You know, I have other
4 things more important to do than, you know -- and
5 it's a hazard. You know, I've been dealing with
6 this, you can see, since 2000 and, you know, and but
7 without NIGAS, how could a person survive almost,
8 you know, in the apartment, and then you constantly
9 call Peoples Gas, constantly go down there, nothing
10 seems to happen.

11 JUDGE RILEY: Counsel.

12 MR. SANDERS: Finally it's over with.

13 JUDGE RILEY: Okay. I just overlooked one thing.

14 MR. SANDERS: Let me take a look at a couple of
15 your documents here.

16 (A brief pause.)

17 Okay. Counsel, I have admitted one of
18 your --

19 MR. GOLDSTEIN: I would like to move admission of
20 Respondent's Exhibit 2 into evidence.

21 JUDGE RILEY: Mr. Sanders, you have a copy of
22 Respondent's Exhibit 2, which were these --

1 MR. SANDERS: Yes.

2 JUDGE RILEY: -- I have a description down here

3 somewhere -- account history that's what it was.

4 Do you have any objection to it?

5 MR. SANDERS: Account history, no, I don't have

6 no objection to anything.

7 JUDGE RILEY: Let me go back quickly. One last

8 question. How would you title Respondent's Exhibit

9 1?

10 MR. GOLDSTEIN: Ms. Medina?

11 MS. MEDINA: It's a billing transcript.

12 JUDGE RILEY: Billing transcript. Thank you.

13 Mr. Goldstein.

14 MR. GOLDSTEIN: Is Exhibit 2 admitted?

15 JUDGE RILEY: Yes, Exhibit 2 is Respondent's

16 Exhibit 2 is admitted into evidence.

17 (Whereupon, Respondent's

18 Exhibit No. 2 was

19 marked for identification

20 and received in

21 evidence.)

22 Mr. Goldstein, what is your statement?

1

2

CLOSING ARGUMENT

3

BY

4

MR. GOLDSTEIN:

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6 All right. I think we have pretty
7 clearly established through Mr. Sanders that his
8 wife and children were living at 1225 South Harding
9 apartment, first floor apartment on December 13,
10 2001.

11

12 We have also established that through
13 your examination of Mr. Sanders that this is a large
14 apartment with four bedrooms, living room, dining
15 room, and bathroom, and kitchen, and everything else
16 and it was capable of using as much heat as was
17 billed.

18

19 The bills that are in question were
20 based upon actual meter readings. Those meter
21 readings are set forth both on Respondent's Exhibit
22 1 and 2.

23

24 I would also point out that Mr. Sanders
25 applied for LIHEAP funds through CEDA as late as
26 November 1, 2002, almost a year after the actual

1 bills for 1225 South Harding, first floor, were
2 incurred. This gas service for this unit in this
3 building is a family expense. Those bills through
4 12-13-01 are the crux of the case in question today
5 and, as of the latest billing, Mr. Sanders owes
6 \$2,868.68.

7 CLOSING ARGUMENT

8 BY

9 MR. SANDERS:

10 As for my bankruptcy again, as for my
11 CEDA 2001, not 2002, 2001 --

12 JUDGE RILEY: That's an application for CEDA?

13 MR. SANDERS: -- for 2001, you keep saying 2002 a
14 year after -- no, that's a year that I moved out of
15 the unit the same year, and it's in bankruptcy.
16 It's court. What are we fighting for? Do you
17 actually think that you are going to get paid
18 2000-some-dollars from me now? What are we fighting
19 for?

20 JUDGE RILEY: I understand, but this is the
21 nature of argument, Mr. Sanders. I'll accept that
22 as part of your closing statement. That is all the

1 evidence. I have everything I need for the record.

2 And if there's nothing further, I'll direct the

3 court reporter to mark this matter heard and taken.

4 Thank you.

5 MR. SANDERS: Thank you.

6 HEARD AND TAKEN.

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